

REMARKS

Status of the claims:

With the above amendments, claim 4 has been amended and claim 3 has been canceled. Thus, claims 1-2, 4-6 and 8-10 are pending and ready for further action on the merits. No new matter has been added by way of the above amendments. Claim 4 has been amended to correct its dependency. Reconsideration is respectfully requested in light of the following remarks.

Examiner Interview

Applicant's representative would like to thank the Examiner for taking the time to interview on July 27, 2004. The gist of the interview is as indicated on the Interview Summary form. The Examiner indicated in the Interview that the application would be allowable if claim 3 were canceled and claim 4 was made dependent from claims 1 and 2. The claims have been amended accordingly.

Rejections under 35 USC §112, first paragraph

Claims 3-4 are rejected under 35 USC §112, first paragraph as allegedly not being enabled. The Examiner asserts that the written description did not provide enablement for affinity reagents that are lectins, receptors, cofactors, or nucleic acids. Applicant disagrees. However, to expedite prosecution, Applicant has canceled claim 3, which contained these features. Thus, the

rejection is moot with respect to claim 3. Claim 4 was dependent upon claim 3 and was rejected for not being enabled for the above-indicated features. Claim 4 is no longer dependent upon claim 3. Thus, it is believed that the rejection over claim 4 has also been obviated. Withdrawal of the rejection is warranted and respectfully requested.

Applicant reserves the right to file a continuation or divisional application directed to the subject matter contained in claim 3.

Rejections under 35 USC §112, second paragraph

Claims 3 and 4 are rejected under 35 USC §112, second paragraph as allegedly being indefinite. The Examiner asserts that claims 3 and 4 broadened the claims from which they depended because the Examiner asserted that affinity reagents could note be lectins, receptors, cofactors, or nucleic acids. Applicant disagrees. However, to expedite prosecution, Applicant has canceled claim 3, which contained these features. Thus, the rejection is moot with respect to claim 3. Claim 4 was dependent upon claim 3 and was rejected for broadening the claim from which it depended for containing the above-indicated features. Claim 4 is no longer dependent upon claim 3. Thus, it is believed that the rejection over claim 4 has also been obviated. Withdrawal of the rejection is warranted and respectfully requested.

Applicant reserves the right to file a continuation or divisional application directed to the subject matter contained in claim 3 as well as any subject matter that was surrendered by changing the dependency of claim 4.

With the above remarks and amendments, Applicant believes that the claims, as they now stand, define patentable subject matter such that passage of the instant invention to allowance is warranted. A Notice to that effect is earnestly solicited.

If any questions remain regarding the above matters, please contact Applicant's representative, MaryAnne Armstrong, PhD (Reg. No. 40,069), in the Washington metropolitan area at the phone number listed below.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a three (3) month extension of time for filing a reply in connection with the present application. The required fee of \$475.00 is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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